

MEETINGS TO DATE 32
NO. OF REGULARS 20
NO. OF SPECIALS 12

LANCASTER, NEW YORK
OCTOBER 15, 1990

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 15th day of October 1990 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
BRUCE SHEARER, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR

25 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board held on October 1, 1990 and the Joint Meeting of the Town Board and the Planning Board held on October 1, 1990, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.MIN (P2)

25 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by
letter dated October 8, 1990 has requested the confirmation of one new member
to the membership of said fire association, and the deletion of three members
from the membership of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the addition to, and deletions from, the membership of the
Bowmansville Volunteer Fire Association, Inc. of the following individuals:

NON-RESIDENT ACTIVE MEMBER

Timothy Domzalski
19 Melody Lane
Cheektowaga, New York 14225

DELETIONS

James Martina
Dennis Falt
Christopher Mancuso

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.FIRE (P1)

15X1

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board, on behalf of all the Special Districts and Special Improvement Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred, has duly prepared detailed estimates in writing of the anticipated revenues and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same, and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the Improvement was charged in proportion to the amount of benefit conferred, and

WHEREAS, Assessment Rolls were duly prepared according to law and said assessment rolls were duly filed in the Office of the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That a Public Hearing is hereby called and shall be held on the 5th day of November 1990, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place this Town Board will meet to consider the aforementioned Special Districts Budget for the Year 1991, and to hear all persons interested in the subject matter thereof, and concerning the same, and

2. That a Legal Notice of said Public Hearing be published in the Lancaster Bee on October 18, 1990, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.BUDGET (P3)

32X1

LEGAL NOTICE

TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
UPON THE 1991 SPECIAL DISTRICTS BUDGET

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lancaster, New York, has completed its estimates and assessment roll relating to Special Districts, spreading costs on a benefit basis, and has filed same with the Town Clerk for the following districts for the year 1991:

Water Supply District Number 1
Water Supply District Extension Number 11 to
Water District Number 1
Water Supply District Extension Numbers 1 and 2 to
Water District Number 2
Water Supply District Extension Numbers 2 and 3 to
Water District No. 4
Lancaster Master Water District
Consolidated Water District
Sanitary Sewer District Number 1 - Glendale and Parkdale
Sanitary Sewer District Number 2
Sanitary Sewer District Number 4
Sanitary Sewer District Extension Numbers 1, 2, 3 and 4 to
Sanitary Sewer District Number 2
Sanitary Sewer Lateral Districts Numbers 1 and 2, and
Meadow Lea Estates, Lancaster Heights, Markey Avenue,
South Broezel, Ronald-Charlton and Botimer, within
Sanitary Sewer District Number 2
Consolidated Lighting District Number 1
Fire Protection District
Refuse and Garbage District

FURTHER NOTICE IS GIVEN, that the following Special Districts are to receive a credit, spread on a benefit basis for the year 1991, of accumulated fund balance:

Water Supply District Extension Numbers 4, 5, 7, 8, 9 and 10 to
Water Supply District Number 1
Water Supply District Number 2
Water Supply District Number 3
Water Supply District Extension Numbers 2, 3, 4, 5, 6, 7 and 8 to
Water Supply District Number 3
Water Supply District Number 4
Water Supply District Extension Number 1 to
Water Supply District Number 4
Water Supply District Number 5
Water Supply District Number 7
Water Supply District Extension Numbers 1, 2, 3, 4 and 5 to
Water Supply District Number 7
Water Supply District Number 8
Water Supply District Extension Number 1 to
Water Supply District Number 8

FURTHER NOTICE IS GIVEN, that a Public Hearing on such estimates and Assessment Roll will be held on November 5, 1990, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place the Town Board will meet to hear and consider any persons interested in the subject matter thereof.

BY ORDER OF THE:

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL,
Town Clerk

October 15, 1990
File: R.BUDGETS (P4)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Lancaster Volunteer Ambulance Corps, by letters dated
September 30, 1990 and October 12, 1990 has requested the confirmation of two
new members to the membership of said corps, and the deletion of certain
members from the membership of said corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions and deletions be made to the
membership of the Lancaster Volunteer Ambulance Corps:

ADDITIONS

Timothy McLaughlin
34 Madison Ave.
Lancaster, New York 14086

Sharon C. Krebs
8 Clark Street
Lancaster, New York 14086

DELETIONS

Donald Ast
Sharon Dehn
Jane Firestone
Charles Johnston
Kenneth Nagel
Mary Warner
Robert Winstel
Charles Cupp
John Jeziorowski
Richard Leffler
William Miori
Kathleen O'Neil
Paul Smith

William Brainard
Albert Fiorello
Scott Hossfeld
Robert Kerl
Cynthia Ostrowski
Joseph Whipkey
Jack Bromich
Kenneth Hodgeson
Thomas Kumpf
Sam Magistrale
Kevin Noack
Marily Winstel
Robert Urban

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

25 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has deemed it in the public interest to approve the issuance of a public improvement permit to ANTOINETTE BOSSE and C.MARLENE WOLF, for the construction of a water line to provide water service to The Meadowlands Subdivision, located on West Home Road, Redlein Drive and East Home Road; and

WHEREAS, ANTOINETTE BOSSE and C.MARLENE WOLF, have entered into an indemnification agreement to hold the town harmless from any claim arising from the construction or existence of the water line, and

WHEREAS, the Town Board desires to have the Erie County Water Authority include this water line in the lease-management agreement between the Town and Erie County Water Authority, and

WHEREAS, the Erie County Water Authority will accept this line as part of the Lease-Management Agreement on the condition that the Town sign a separate agreement with the Water Authority indemnifying and holding harmless the Water Authority with respect to this line;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby agrees to execute an agreement with the Erie County Water Authority regarding the aforementioned water line.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.AUTH.AGRMT.ECWA.MDWLND.SUBD.

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Budget Officer filed his tentative 1991 Budget with the
Town Clerk on September 28, 1990, and

WHEREAS, the Town Board has had discussions with various department
heads regarding the tentative budget,

NOW, THEREFORE, BE IT

RESOLVED, that the tentative budget as filed by the Supervisor in
the office of the Town Clerk on September 28, 1990, be and is hereby adopted
by the Town Board as the 1991 Preliminary Budget, and

BE IT FURTHER

RESOLVED, that a Public Hearing on the Preliminary Budget of the
Town of Lancaster for the year 1991, be held by this Town Board at the Town
Hall, 21 Central Avenue, Lancaster, New York on the 5th day of November 1990,
at 8:10 o'clock P.M., Local Time, and

BE IT FURTHER

RESOLVED, that the necessary Notice of Public Hearing upon the 1991
Preliminary Budget, as required by Section 108 of the Town Law of the State of
New York, be published in the Lancaster Bee, the official newspaper, on
October 18, 1990, and be posted on the Town Bulletin Board, which Notice shall
be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.BUDGETS (P1)

25 X

32X1

LEGAL NOTICE

TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
UPON THE 1991 PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN, that the Preliminary Budget of the Town of Lancaster, for the fiscal year beginning January 1, 1991, has been adopted and filed in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, where it is available for inspection by any interested persons during office hours.

FURTHER NOTICE IS GIVEN, that the Town Board of the Town of Lancaster will meet and review said Preliminary Budget and hold a Public Hearing thereon at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:10 o'clock P.M., Local Time, on the 5th day of November 1990, and at such hearing, any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed annual salaries of the following Town Officers are specified as follows:

Supervisor - as Supervisor	40,000.00
- as Budget Officer	4,150.00
Councilman	10,500.00
Councilman	10,500.00
Councilman	10,500.00
Councilman	10,500.00
Town Justice	22,723.00
Town Justice	22,723.00
Receiver of Taxes	32,214.00
Town Clerk - as Town Clerk	38,599.00
- as Clerk to Zoning Board of Appeals	1,850.00
- as Records Management Officer	3,555.00
- as Registrar of Vital Statistics	100.00
Superintendent of Highways	35,660.00

BY ORDER OF THE:

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL,
Town Clerk

October 15, 1990

File: R.BUDGETS (P2)

25 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, after due consideration desires to enter into an Intermunicipal Agreement with the Lancaster Central School District to provide for the construction of a parking lot on school district property by the Town of Lancaster Highway Department, and

WHEREAS, the Town Board has determined that it is in the interest of the taxpayers and residents of the Town of Lancaster to utilize available highway department personnel and equipment to reduce the cost of the construction of the beforementioned parking lot to the school district;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an Intermunicipal Agreement, pursuant to the authority granted under General Municipal Law Article 5-G, with the Lancaster Central School District for the purpose of the construction of a parking lot at the Lancaster Central Senior High School at 1 Forton Drive, Lancaster, New York, upon the terms and conditions as set forth in the agreement drawn by the Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

WHEREAS, the Budget Officer has examined the financial accounts of the Town as of September 30, 1990 and determined the need for supplemental appropriations in certain accounts,

NOW, THEREFORE,

BE IT RESOLVED that the following amendments to the 1990 Adopted Budget are hereby approved:

GENERAL FUND

	<u>Increase</u>
<u>General Ledger Accounts</u>	
A510 Estimated Revenues	\$ 10,500
A599 Appropriated Fund Balance	106,890
A960 Budget Appropriations	117,390
<u>Subsidiary Ledger Accounts - Revenues</u>	
A2379 Outreach Counselor/Coordinator Program - Contribution by Lancaster School District	10,500
<u>Subsidiary Ledger Accounts - Appropriations</u>	
A1645.411 Central Fuel Storage - Contribution to LCSD	5,000
A1910.411 Special Items - Unallocated Insurance	22,000
A1960.411 Special Items - Bond and Note Issue Expense	13,325
A1989.411 Special Items - Grants Consultant Services	7,000
A3310.411 Traffic Control - Services Reimbursement, Hwy. Dept.	10,000
A4320.100 Outreach Counselor/Coordinator Program - Salaries	10,500
A4540.411 Ambulance - Repairs and Maintenance	565
A9030.803 Employee Benefits - Social Security Taxes	14,000
A9060.808 Employee Benefits - Hospital and Medical Insurance	35,000
	<u>117,390</u>

GENERAL FUND - TOWN OUTSIDE VILLAGES

<u>General Ledger Accounts</u>	
B510 Estimated Revenues	2,725
B599 Appropriated Fund Balance	13,111
B960 Budget Appropriations	15,836
<u>Subsidiary Ledger Accounts - Revenues</u>	
B2570 Subdivision Filing Fees	2,725
<u>Subsidiary Ledger Accounts - Appropriations</u>	
B1440.411 Subdivision Inspection Fees	12,000
B1670.403 Central Printing & Mailing - Printing & Advertising	2,500
B1964.411 Special Items - Jones Intercable Tax Credit	1,336
	<u>15,836</u>

SPECIAL DISTRICTS - STREET LIGHTING

<u>General Ledger Accounts</u>	
SL599 Appropriated Fund Balance	3,000
SL960 Budget Appropriations	3,000
<u>Subsidiary Ledger Accounts - Appropriations</u>	
SL5182.411 Street Lighting - District No. 1	2,000
SL5182.426 Repairs and Maintenance	1,000
	<u>3,000</u>

SPECIAL DISTRICTS - LANCASTER MASTER WATER DISTRICT

<u>General Ledger Accounts</u>	
SW510 Estimated Revenues	5,000
SW960 Budget Appropriations	5,000

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Subsidiary Ledger Accounts - Revenues
SW2401 Interest Earnings

5,000

Subsidiary Ledger Accounts - Appropriations
SW8389.426 Repairs and Maintenance

5,000

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.BUDGET.AMEND.

32X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has deemed it in the public interest to approve issuance of a public improvement permit to WFB ENTERPRISES, INC. for the construction of a water line to provide water service to The Meadowlands Subdivision located on West Home Road, Redlein Drive and East Home Road; and

WHEREAS, ANTOINETTE BOSSE and C. MARLENE WOLF, have offered to enter into an indemnification agreement to hold the town harmless from any claim arising from the construction or existence of the water line, and

WHEREAS, the Town Board desires to have the Erie County Water Authority include this water line in the lease-management agreement between the Town and the Erie County Water Authority, and

WHEREAS, the Erie County Water Authority will accept this line as part of the lease-management agreement on the condition that the Town sign a separate Agreement with the Water Authority indemnifying and holding harmless the Water Authority with respect to this line:

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute an agreement with ANTOINETTE BOSSE and C. MARLENE WOLF regarding the aforementioned water line.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 15, 1990
File: R.AUTH.AGRMT.MDWLND.WTR.LN.

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

WHEREAS, Victor L. Peterson, III, M.J. Peterson, 501 John James Audubon Parkway, Amherst, New York 14228, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Windsor Ridge Subdivision, Phase I, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application No. 222 of M.J. Peterson, 501 John James Audubon Parkway, Amherst, New York 14228, for the installation of:

P.I.P. No. 222 - 4232± L.F. of 24" concrete curb with 6" underdrain.
(Pavement & Curbs) 6761± S.Y. of 15" AC pavement. 11 ea. receivers.

be and is hereby approved and the installation of the improvement requested be and is hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA ABSTAINED (N.B.1)
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYS ABSTAINED (N.B.2)

The resolution was thereupon duly adopted.

October 15, 1990

- N.B.1 - Supervisor Keysa abstained on this vote as he has in the past on all votes concerning this subdivision. As a private attorney, he has done legal work for the family of the property owner.
- N.B.2 - Councilman Czapla abstained on this vote as he has in the past on all votes concerning this subdivision. He is a participant in the estate of the property owner.

File: R.P.I.P.a (Pl)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CAZPLA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has after due consideration and review determined that it is necessary to adopt a written policy for the use of town-owned vehicles assigned to employees of the Town of Lancaster, and

WHEREAS, the Town Board is aware that the Internal Revenue Service Rule and Regulations now require that there be a written policy for the use of employer provided motor vehicles to ascertain the compensatory value, if any, to an employee for income tax purposes;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adopts a comprehensive Motor Vehicle Policy for the Town of Lancaster in the form attached hereto and directs that a copy of this policy be provided to each department and employee which has the benefit of the use of a town-owned motor vehicle.

This policy shall take effect upon adoption of this resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

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MOTOR VEHICLE POLICY FOR THE TOWN OF LANCASTER

THIS POLICY TAKES EFFECT AS OF OCTOBER 16, 1990

I. PURPOSE OF POLICY:

The effective delivery of Town of Lancaster governmental services requires transportation to be available for employee's travel and other legitimate purposes, such as the pickup and delivery of supplies, equipment and documents. Town business requiring automobile usage can be conducted either with an employee's personal vehicle, in which case there is provision for reimbursement as per Town Board organizational day resolution, or through the Town purchase and use of passenger vehicles where there is sound economic justification for such purchases.

This Policy sets the criteria for vehicle assignment; guidelines for purchase; standards for operation, maintenance and replacement of vehicles; establishes a record keeping system to ensure that usable cost data is maintained; gives direction regarding coordination with IRS rules, and sets penalties for improper utilization of Town vehicles, or submission of false reimbursement requests.

II. GENERAL RULES GOVERNING USE OF TOWN VEHICLES:

1. Town vehicles shall be used only for Town business.

2. Only authorized Town employees may operate a town vehicle.
3. Individuals who are not Town employees are strictly prohibited from operating a Town vehicle. For purposes of this policy, "employee" shall be as defined in N. Y. Public Officers Law Section 18-1-(b).
4. The individual in whose charge a Town vehicle has been placed shall possess a valid New York State Driver's License at all times when operating a Town vehicle. Employees covered by these rules shall report to the Town Board any suspension or revocation of such license, together with any felony or misdemeanor convictions, and any felony charge involving vehicular use.
5. At all times that a Town employee is operating a Town vehicle, said operator shall be responsible for the vehicle as if it were his or her own.
6. The operator is expected to exercise the same care in the maintenance and use of said vehicle that is reasonably expected as if it were privately owned and operated.
7. The operator of any Town vehicle is personally responsible for the payment of any traffic violations or citations incurred in its operation, including the cost of any attorney's fees for any representation required thereof.

8. If an accident should occur, it shall be the responsibility of the driver to ensure that the proper authorities are notified, including the calling of medical personnel if needed, and that the accident report form is filed within 24 hours with the proper jurisdictional authorities, and also with the Town Clerk.
9. Passengers in Town vehicles shall include only employees of the Town of Lancaster conducting official Town business or non-Town personnel conducting official business with the Town.
10. Employees authorized to operate Town vehicles are strictly prohibited from providing other Town employees with transportation to or from work, unless such transportation relates to official Town business.
11. Sworn police officers may pick up other sworn police officers in accordance with departmental procedure.
12. When utilizing a vehicle assigned to another department, it shall be the responsibility of the driver to ensure that the vehicle is in safe and operable condition before leaving and upon its return. It shall be the responsibility of the driver to ensure that the vehicle is returned with a full tank of fuel and adequate lubrication. Failure to comply with these directives may result in the suspension of an employee's right to use shared vehicles.

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13. All Town owned vehicles, except vehicles assigned to the Police Department, shall be identified with an official Town seal, not less than 6" across, clearly visible on both sides of the doors, and an official identifying license plate which is clearly visible.
14. One vehicle assigned to the Chief of Police, and vehicles assigned to the detective bureau, shall be exempt from bearing official seals and plates. Ordinary police vehicles will bear a shield on both doors identifying the vehicle as a Town of Lancaster police vehicle, and plates marked "TLP" with the departmental car number.

III. VEHICLE PURCHASE, ASSIGNMENT & REPLACEMENT:

A. GENERAL: The Town Board is responsible for the purchase, replacement, and permanent and temporary assignment of all Town owned passenger vehicles. The term "passenger vehicles" shall include all sedans, vans, station wagons, pickup trucks, and any other type vehicle which are used primarily as a mode of transportation for people, as opposed to a highway maintenance or other such maintenance vehicle.

The Town Board delegates to the Town Supervisor the authority to direct the temporary reassignment between departments of any Town-owned passenger vehicles to meet day-to-day operational requirements.

B. VEHICLE REPLACEMENT: Departments heads must justify the need to replace existing vehicles through the regular budget process. The respective department heads, in conjunction with the Property Records

Manager, will maintain adequate maintenance records and costs for each vehicle under his or her jurisdiction. Maintenance of vehicles assigned to departments shall be the responsibility of the respective department head, and the replacement of those vehicles shall be in accordance with the regular Town budget process. It shall be the responsibility of each department head to cooperate fully with the Supervisor and the Property Records Manager in implementing the proper procedures of record keeping and maintenance for all vehicles, regardless of their administrative control. The Property Records Manager will maintain a roster of Town vehicles, to be updated as needed, and list the make, year and model, original cost, the department to which the vehicle is assigned, communication equipment installed, and whether authorized for 24 hour use. No vehicle within Town government is to be sold, surplus, or otherwise transferred, without the consent of the Town Board and notification of the Property Manager.

IV. 24 HOUR VEHICLE ASSIGNMENT: The Property Records Manager shall maintain a list of vehicles which are assigned to Town employees on a 24-hour a day basis. Requests shall be prepared and submitted to the Town Board by each department head responsible for said vehicles. No vehicles shall be assigned on a regular, 24-hour basis without approval of the Town Board (except that the Town Supervisor can temporarily authorize such use). The Property Records Manager does not have the authority to assign vehicles. Vehicles should be assigned only to those whose responsibility is of an around-the-clock nature. Temporary additions or deletions to the 24-hour assignments must be submitted to and approved by

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the Town Supervisor. If an employee is assigned to a 24-hour vehicle equipped with emergency equipment, a cellular telephone, or a radio, such information shall be noted. If a vehicle is partially or wholly reimbursed by other than Town funds, special consideration may be given for 24-hour usage of that vehicle.

V. FUELING FACILITIES:

The Town of Lancaster has entered into a contract with the Lancaster Central School District to fuel all Town owned vehicles (and those of certain contract agencies) at computer-controlled pumps located at the school bus garage on Pleasant View Drive. Except in emergency situations, or when away from the Lancaster area, all town-owned vehicles are to be fueled at the LCSD pumps, in accordance with the instructions issued from time to time by the LCSD.

All driver-employees will familiarize themselves with these fueling instructions, fuel-pumping safety rules, and the proper care of the computer access cards. Employees will be held personally responsible for misuse of fuel access cards placed in their care. Upon termination for any reason, an employee shall immediately return his or her fuel access card to the Town Supervisor.

VI. ACCIDENT REPORTS: In the event of an accident with a Town vehicle which results in property damage or bodily harm, it is the responsibility of the driver to complete the following:

- A. Call an ambulance or other medical attention if needed, then notify local police or sheriff's department.
- B. Notify his or her immediate department head as soon as possible, and then notify the Town Clerk as soon as possible.
- C. Completely fill out the Accident Report from (MV-104) and arrange for submission of the original to the Town Clerk and copies to the Town Attorney and to his or her immediate department head.

VII. PROCEDURE FOR PURCHASE OF VEHICLES: All vehicles shall be purchased through competitive bidding procedures or through approved vendors awarded bids under State or County bids. It shall be the Town policy to purchase vehicles manufactured in North America. In determining the most economical vehicles to be purchased, it shall be the responsibility of the respective department head to prepare such information as is needed by the Town Board to best assess the actual needs. Said information shall include, but is not limited to, costs of maintenance, availability and accessibility of obtaining parts and service, the fuel efficiency as determined by EPA guidelines, and experience with prior vehicles so that a historical record of service is part of the decision making process. Where prudent, police or other emergency vehicles in good condition at trade-in time shall be reassigned to other departments with appropriate budget transfers reflecting trade-in value.

It shall be the policy of the Town of Lancaster that all vehicles are

maintained in a manner that ensures safety for the driver and passengers at all times. It shall also be the policy that, depending upon budget restrictions, vehicle use requirements, and outside funding sources, vehicles should be replaced after six years of service or 100,000 miles, whatever comes first. If it is not economically possible to provide for replacement of vehicles in the manner above prescribed, no vehicle will be operated by the Town unless it is in safe mechanical condition.

VIII. COORDINATION WITH INTERNAL REVENUE CODE:

The Internal Revenue Service has promulgated certain rules and regulations pursuant to the U.S. Internal Revenue Code, section _____, regarding the use of passenger vehicles by employees, and regarding written rules concerning such use. To the extent not explicitly covered above, these rules will be read to conform with such IRS rules.

The Town Supervisor will cause to be added to an employee's W-2 an appropriate amount for federal income tax purposes as to those individuals having 24 hour use or availability of a passenger type vehicle, computed as set forth in the IRS rules.

For purposes of complying with the IRS regulations, the Town Board has determined, after reviewing the uses and equipment of such vehicles, that the following vehicles shall not be considered "passenger type vehicles" for tax reporting purposes, in the event assigned for "take-home" use:

- 4x4 dump truck, Building Maintenance section
- equipment van, Building Maintenance section

- 4x2 dump truck, Recreation Department
- Dog Control Officer van

IX. RECOVERY FOR MISUSE OF VEHICLE:

In situations where the Town Board determines that the privilege of using a Town owned vehicle has been abused, it shall be Town policy to recover the value of the use of the vehicle during such period of misuse. In the event that the Town Supervisor is unable to reasonably identify such value, it shall be calculated at the rate per mile permitted by the IRS as a rate of reimbursement in lieu of detailed record keeping. Currently, that rate is \$0.255 per mile.

The submission of false reimbursement requests shall be grounds for dismissal and/or discipline, and may subject the individual seeking such fraudulent payment to prosecution for violation of state or federal criminal laws. Should such reimbursement have been paid prior to discovery of its fraudulent nature, the Town Board will direct the Town Attorney to seek recovery of the same, together with applicable costs.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, THE MAGUIRE GROUP has transmitted a site plan for the construction of a Health Care Facility located at the southeast corner of North Maple Drive and Wehrle Drive, in the Town of Lancaster, New York, as prepared by Pratt & Huth Associates, and dated October 11, 1990, and

WHEREAS, the Town Board has caused a review of the aforementioned site plan, and

WHEREAS, the Planning Board of the Town of Lancaster has approved the site plan,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

(1) That the Town Board of the Town of Lancaster hereby approves the site plan submitted by THE MAGUIRE GROUP, as prepared by Pratt and Huth, dated September, 1990, and approved by the Planning Board on October 11, 1990, for construction of a health care facility on the southeast corner of North Maple Drive and Wehrle Drive in the Town of Lancaster, and

(2) That the Town Board reserves the right to approve the landscaping plan at future date.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 15971 to Claim No. 16295 Inclusive.

Total amount hereby authorized to be paid:

\$476,741.30

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.CLAIMS

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster.
- (CSW) = Conditional sidewalk waiver.

<u>NO.</u>	<u>CODE</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
590		Franklin Rutkowski	6303 Genesee St	INSTALL WOOD STOVE
591		Majestic Pools	26 Fieldstone La	ER. POOL
592		Joe Savage	33 Gale Dr	ER. SHED
593 (T)		Valiant Home Bldrs.	3 South Point Dr	ER. SIN. DWLG
594		Robert Grabinski	18 Greenbriar Dr	ER. SHED
595		Decks Unlimited	16 Rose Hill Cir	ER. DECK
596		David Whitnauer	643 Erie St	ER. GARAGE
597		Thomas Brych	36 Partridge Wk	EXT. SIN. DWLG
598		Donna Brehm	25 Quail Hollow	ER. SHED
599		TABLED		
600 (T)		Marrano Marc Equity	12 Hemlock Ln	ER. SIN. DWLG
601 (T)		Marrano Marc Equity	24 Blue Jay Circle	ER. SIN. DWLG
602 (T)(SW)		P.M. Custom Homes	549 Lake Ave	ER. SIN. DWLG
603 (T)		Custom Homes by Walter	4 Northbrook Ct	ER. SIN. DWLG
604 (T)		Marrano/Marc Equity	23 Spruceland Ter	ER. SIN. DWLG
605 (T)		M.J. Ogiony Builders	1275 Penora St	ER. SIN. DWLG

and,

BE IT FURTHER

RESOLVED, that Building Permit Application No. 599, of Marrano/Marc Equity, to erect a single dwelling on premises situate at 1 Stony Brook, be and hereby is tabled, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

32X1

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.BLDG (P1-2)

12X1

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has previously filed with the Erie County Department of Personnel Form PO-17 "New Positions Duties Statement" for the purpose of obtaining the appropriate service title for an anticipated new position of Assistant to Supervisor (Project Manager) Part-time, within the Supervisor's Office of the Town of Lancaster, and,

WHEREAS, the Erie County Department of Personnel has indicated that the appropriate title for this position should be Assistant to Supervisor (Project Manager), Part-time,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby creates the position of Assistant to Supervisor (Project Manager) Part-time, in the Supervisor's Office of the Town of Lancaster, effective October 15, 1990 and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and execute Section 8 of Form PO-17 (New Position Duties Statement) from the Erie County Department of Personnel, indicating that the position of Assistant to Supervisor (Project Manager), Part-time, in the Supervisor's Office of the Town of Lancaster has been created.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.BLANK

32X1

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA, TO WIT:

WHEREAS, the Town Board, by resolution dated October 15, 1990, created the position of Assistant to the Supervisor (Project Manager), Part-time, in the Supervisor's Office of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that TREANN E. FLANAGAN 83 Pheasant Run North, Lancaster, New York 14086, be and hereby is appointed to the position of Assistant to the Supervisor (Project Manager), Part-time, in the Office of the Supervisor of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that said appointment is effective October 22, 1990 at a starting hourly rate of 75% of \$12.08 an hour, namely \$9.06 an hour.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.PERS.APPT (P5)

32X1

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

WHEREAS, it is essential to public safety that the Town of Lancaster continue its vigorous program involving intensified drug investigations through the Police Department of the Town of Lancaster, and

WHEREAS, the New York State Division of Criminal Justice has tendered an application to the Town of Lancaster for participation in an Anti-Drug Abuse Funding Program, and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town of Lancaster, an application with the New York state Division of Criminal Justice for participation in the Federal Anti-Drug Abuse Funding Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 15, 1990

File: R.STATE.DRUG

2X

STATUS REPORT ON UNFINISHED BUSINESS:1. Detention Basin - Milton Drive

On October 1, 1990 the Supervisor reported that he met with David Pratt of Pratt and Huth Associates on this matter.

2. Dumping Permit - Walter Mikowski

On March 14, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.

3. Dumping Permit - New Creation Fellowship

This matter is presently before the Town Board Drainage Committee for study.

4. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase I (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

5. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

6. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase I (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Curbs	Yes	Yes	Yes
Floodway Grading	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

7. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase II (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Floodway (S. Branch)	Yes	No	No
East Culvert (S. Branch)	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)8. Public Improvement Permit Authorization - Hillview Estates Subdivision, Phase I (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	No	No	No
Pavement and Curbs	No	No	No
Storm Sewers	No	No	No
Detention Basin	No	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

9. Public Improvement Permit Authorization - Indian Pine Village Subdivision (Fischione Const., Inc.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

10. Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I (Dana Warman)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	No
Pavement and Curbs	Yes	Yes	No
Storm Sewers	Yes	Yes	No
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

11. Public Improvement Permit Authorization - Meadowland Subdivision (Bosse)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

12. Public Improvement Permit Authorization - The Meadows Subdivision (Giallanza)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

13. Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline (Transmission)	Yes	Yes	Yes
Waterline (Hydrants)	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	Yes	Yes
Sidewalks	Yes	n/a	n/a

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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)14. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	Yes	No
Sidewalks	Yes	n/a	n/a

15. Public Improvement Permit Authorization - Plumb Estates (Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	Yes	n/a
Sidewalks	Yes	n/a	n/a

16. Public Improvement Permit Authorization - Southpoint Subdivision, Phase I
(Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
E. Detention Pond	Yes	No	No
W. Detention Pond	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	No	n/a	n/a

17. Public Improvement Permit Authorization - Southpoint Subdivision, Phase II (Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	No	No
Sidewalks	No	n/a	n/a

18. Public Improvement Permit Authorization - Southpoint Subdivision, Water Interconnection Line with Forestream (Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline (ONLY)	Yes	No	No

19. Public Improvement Permit Authorization - Stony Brook, Phase I
(Stephens)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement & Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Area 1	Yes	No	No
Detention Area 2	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)20. Public Improvement Permit Authorization - Warnerview Estates, Phase I
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

21. Public Improvement Permit Authorization - Warnerview Estates, Phase II
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

22. Public Improvement Permit Authorization - West Warner Estates

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Storm Sewers (ONLY)	Yes	Yes	No

23. Public Improvement Permit Authorization - Willow Ridge Subdivision
(Cimato Bros.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

24. Public Improvement Permit Authorization - Windsor Ridge Subdivision, Phase I (M. J. Peterson)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

25. Rezone Petition - Belmont Shelter Corp. (5818 Broadway)

On August 17, 1990, this matter was referred to the Planning Board for review and recommendation.

26. Rezone Petition - Bhagwanji/Nalini Kunvarji (West of 130 Maple Road)

On September 4, 1990 the Town Board held a public hearing on this matter and reserved decision. Next step, SEQOR Review.

27. Rezone Petition - Marinaccio Concrete and Trucking (Ransom Road)

On August 6, 1990, the Town Board held a public hearing on this matter and reserved decision. Next step, SEQOR Review.

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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

28. Rezone Petition - McGuire Group (Wehrle Drive)
On May 7, 1990, the Town Board held a public hearing on this matter and reserved decision. On May 21, 1990, the Town Board held a SEQR hearing on this matter and tabled its decision pending receipt of additional data from the petitioner.
29. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.
30. Subdivision Approval - Bowen Road Square (Off Bowen Road)
On August 30, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990 the Planning Board recommended approval of the sketch plan. Next step, Planning Board approval of preliminary plat plan.
31. Subdivision Approval - Coventry Green Townhouse (Off Aurora Street)
On October 10, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$1,150.00. On July 11, 1990, the Planning Board approved the sketch plan for this development under the name of "Meadow Wood Townhouses" which was subsequently changed to "Coventry Green Townhouses". Next step, Planning Board approval of preliminary plat plan and SEQR review.
32. Subdivision Approval - The Crossings (Off Erie St.)
On June 5, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$590.00. Review of this subdivision is on hold pending determination of a conceptual north/south beltway right-of-way from Broadway to the New York State Thruway.
33. Subdivision Approval - East Brook Estates (Off Bowen Road)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
34. Subdivision Approval - Grafton Park Subdivision (Broadway and Steinfeldt)
On September 5, 1990, an application for sketch plan approval was filed with the Building Inspector and referred to the Planning Board for review. On September 19, 1990, the Planning Board approved the sketch plan for this subdivision. Next step, formal filing of preliminary plat with the Town Clerk.
35. Subdivision Approval - Indian Pine Village Phase II -
On October 9, 1990 the developer filed an "application for sketch plan approval" with the Planning Board.
36. Subdivision Approval - Hidden Hollow (Off Green Meadow Drive)
On October 9, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$625. On March 21, 1990, the Planning Board voted preliminary approval. On May 7, 1990, the Town Board adopted a SEQR negative declaration on this matter.
37. Subdivision Approval - Hillview Estates (Off Pleasant View Drive)
On October 9, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$1,855.00. On March 21, 1990, the Planning Board voted preliminary approval. On May 7, 1990, the Town Board adopted a SEQR negative declaration on this matter.

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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

38. Subdivision Approval - Lake Forest South (Off Lake Avenue)
On January 27, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$250.00. On December 18, 1989, a SEQR Negative Declaration was adopted. On February 5, 1990, the Town Engineer recommended conditional approval of this project. On December 16, 1989, the Planning Board recommended approval of this project.
39. Subdivision Approval - Parkridge (Off William Street)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
40. Subdivision Approval - Stony Brook Subdivision, Phase II (South Side of Pleasant View Drive)
On September 5, 1990, an application for sketch plan approval was filed with the Building Inspector and referred to the Planning Board for review.
41. Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)
On October 4, 1989, the Planning Board approved the site plan for this subdivision. On October 13, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990, the Town Board adopted a SEQR negative declaration on this matter.
42. Subdivision Approval - Woodgate (Josela - Off Aurora St.)
On August 1, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$1350.00. On September 6, 1989, the Planning Board approved a sketch plan for this subdivision. On November 20, 1989, a SEQR negative declaration was adopted.

PERSONS ADDRESSING THE TOWN BOARD:

Mr. William Tuyn, of the engineering firm of Pratt & Huth Associates, 60 Earhart Drive, spoke to the Town Board about final plat plan approval for Hillview Estates Subdivision and Hidden Hollow Subdivision.

COMMUNICATIONSDISPOSITION

1104. Police Chief to NYSDOT - Requests study at intersection of Genesee St., Route 33 and Home Rd.	R & F
1105. LVAC Secretary to Town Clerk - Membership additions.	R & F
1106. LVAC Secretary to Town Clerk - Deletion of inactive members from roster.	R & F
1107. Senator Volker to Town Clerk - Acknowledgement of resolution re. dispropor- tionate reduction of railroad assessments.	R & F
1108. NYSDEC to Fox Valley Country Club - Issuance of permit to disturb Ellicott Creek.	R & F
1109. Transit French Associates to NYSDOT - Offer of agreement to Tops and Mr. DiLappo for improvements along frontage of Transit Rd.	R & F
1110. Municipal Insurance Consultants to Town Clerk - Re: insurance requirements for P.I.P's.	ENGINEER, TOWN ATTORNEY
1111. Town Clerk to Town Board - Asks repeal of present Insurance Requirements (Chapter 11-5.1) for PIP's and enact new documentation.	ENGINEER, TOWN ATTORNEY, TOWN CLERK
1112. County Health Dept to County Veterinarians & DCO's Advisement of increase in rabid raccoons.	DOG CONTROL OFFICER
1113. Niagara Frontier Builders Assoc., Inc., to Supervisor - Assoc. goals to convince the DEC not to revise the Freshwater Wetlands Mapping and Classification Regulations.	R & F
1114. Town Engineer to Environmental Service Group, Inc. Proposal for Removal of Fuel Storage Tanks KAI File 2178B.	BUILDING INSPECTOR ENGINEER
1115. Town Assessor to William Underwood - Questions re. Special Franchise Assess. 89-90-	TOWN ATTORNEY SUPERVISOR
1116. Police Chief to Super & Chairman Pub. Safety Com - Letter from R. Cordier dealing with traffic control at Town Line and Westwood Rds.	R & F
1117. Town Engineer to M. Passucci Gen. Const. Co. - Letter to proceed with construction of rear yard drainage facilities, KAI Proj. File 2178B.	R & F
1118. NYSDOT to Michael Arcangel - Proposal to combine traffic mitigation for Tops Retail Plaza and Forestream acceptable to Dept.	R & F
1119. NYSDEC to Supervisor - Review: Lead Agency Designation, Proposed Meadow Wood Townhouses.	R & F
1120. NYSDEC to Supervisor - Response: Lead Agency Designation, Proposed Econolodge Motel.	R & F
1121. Town Engineer to Supervisor - Recommendation that town accept P.I.P. 232 (St.Sewer/Drain.) W. Warner Estates Subdivision	R & F
1122. County DEP to Richard Weber(Lancastershire, Inc.)- District would accept proposed development.	R & F

32X1

COMMUNICATIONSDISPOSITION

1123. Supervisor to Town Board - Maturity dates for July/Aug/Sept '90 investments	R & F
1124. County DFW to Supervisor - Project information: Pavement Rd Bridge.	R & F
1125. Youth Board and Drug Abuse Chairmen to Supervisor and Town Board Members - Recommendation that Director's salary be increased.	BUDGET
1126. Niagara Frontier Bldrs. Assoc., Inc. to Individuals & groups planning to testify 10/16/90 re: Wetlands Mapping and Classification Regulations - Advisement of strategy session 10/14/90.	R & F
1127. NYSPSC to Supervisor - Opportunity to comment on the National Fuel Gas Dist. Corp. rate request, 10/30-31/90.	R & F
1128. NFTA to SEQR Agencies - Negative Declaration for proposed terminal area improvements at Buffalo Airport.	SUPERVISOR
1129. NYSDOT to Supervisor - Notice of replacement of Genesee St. Bridge over Ellicott Creek scheduled for 1992.	R & F
1130. NYS Div. of Equalization and Assessment to Assessor - Explanation and comments re: reduction in 1990 special franchise assessments.	SUPERVISOR, TOWN ATTORNEY
1131. Assessor to Supervisor - Comments re: special franchise assessments.	SUPERVISOR, TOWN ATTORNEY
1132. Helene Schiffler Scheuer, 12 Field Ave., to Supervisor - Request being put on list for drainage ditch program - Lake Ave. and William St.	DRAINAGE COMMITTEE
1133. Municipal Consultants to Town Clerk - Insurance renewal information.	SUPERVISOR, INSURANCE COMMITTEE, PROPERTY MANAGER
1134. Bownansville V.F.A. to Town Board - Recommendation of addition to and deletions from roster.	R & F
1135. Fox & Co. to Supervisor - Letter proposal for 1991 accounting services.	TOWN ATTORNEY FOR RESOLUTION
1136. Assoc. of Erie County Governments to Supervisor - Notice of meeting to be held 10/19/90 in Buffalo.	R & F
1137. Gajewski Family to Town Board - Complaint re: assessment reduction.	TOWN ATTORNEY
1138. Environmental Concepts to Building Inspector - Request action re: submittal of SEQR - Potter Realtors site plan - 4909 Transit Rd.	TOWN ATTORNEY
1139. Rande/Karen Basher, 120 Cemetery Rd., to Supervisor - Request advise re: maintenance of access road.	TOWN ATTORNEY
1140. Assem. Vincent Graber to Supervisor - Transmittal of letter sent to State Equaliza- tion & Assessment Board re: reval problems.	R & F
1141. Proclamation - Proclaiming 10/13/90 as Robert G. Mueller Day.	R & F

COMMUNICATIONSDISPOSITION

1142. <u>Proclamation</u> - Proclaiming 10/13/90 as Clayton Ziegler Day.	R & F
1143. Police Chief to Supervisor - Transmittal of application for Anti-Drug Abuse funding from State.	TOWN ATTORNEY
1144. HAZMAT to Supervisor - Comment re:1991 Budget.	R & F
1145. Police Chief to Supervisor - Comments re: Genesee St. Bridge Project.	PUBLIC SAFETY COMMITTEE
1146. Attorneys for The McGuire Group to Planning Board Chair. - Name correction of proposed facility to "The Harris Hill Nursing Facility".	TOWN CLERK BUILDING INSPECTOR
1147. County Health Dept. to Town Board - Transmittal of Approval of Completed Works for public water supply improvement re: Southpoint Subdivision.	R & F
1148. Transit French Associates to Supervisor - Comments re: hydric soils - shopping center and Tops Supermarket site.	R & F
1149. Supervisor to Town Board - Status of NYSDOT acceptance of proposals by Tops Supermarket and French-Transit.	R & F
150. <u>Lobbying Network</u> - Newsletter put out by the Assoc. of Towns.	R & F
1151. Marrano/Marc Equity to Town Board - Request acceptance of building permit applica- tion to construct model home at corner of Stony Brook and Pleasant View.	TOWN ATTORNEY
1152. Town Clerk to Media - Notice of SEQR meeting to be held 10/16/90.	R & F
1153. Hillview Estates Dev. Inc. to Town Clerk - Transmittal of prints for Hillview Estates Subdivision.	TOWN ATTORNEY
1154. Paul Dombrowski to Town Clerk - Transmittal of prints for Hidden Hollow Subdivision.	TOWN ATTORNEY
1155. County Div. of Highways to Rosemary Cordier, 944 Town Line Rd. - Response to letter re: speed limits on Town Line Rd.	PUBLIC SAFETY COMMITTEE
1156. Police Chief to Public Safety Comm. Chair. - Results of study of speed survey on Lake Ave.	R & F
1157. Town Clerk to Town Attorney - Request determination re: site plans/ subdivision plans.	TOWN ATTORNEY
1158. MJ Peterson to Town Board - Request approval of P.I.P. for curbing and paving within Windsor Ridge Subdivision.	R & F
1159. Planning Board to Town Board - Minutes from meeting held 10/3/90.	R & F
1160. Town of Wales to Various Officials - Resolution requesting state and federal representatives to investigate possible gas gouging.	R & F

32X1

COMMUNICATIONSDISPOSITION

1161. Planning Board to Town Board - Recommend approval of Harris Hill Nursing Facility site plan.	<u>R & F</u>
1162. Planning Board to Town Board - Request additional monies be included in 1991 Budget for zoning ordinance and code books.	<u>TOWN CLERK</u>
1163. Recreation Commission to Town Board - Minutes from meeting held 9/29/90.	<u>R & F</u>
1164. Police Chief to Town Board - No objections to Board approval of Hidden Hollow Subdivision.	<u>R & F</u>
1165. Police Chief to Town Board - Comments re: Hillview Estates.	<u>R & F</u>

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications -
SUSPENSION GRANTED.

1166. LVAC to Town Clerk - Deletions of members in the Ambulance Corps.	<u>R & F</u>
1167. Building Inspector to Town Board - Request favorable action in amending the Fire Prevention and Building Code, Chapter 20.	<u>TOWN ATTORNEY</u>
1168. LVAC to Supervisor - Re: Replacement of Ambulance #801.	<u>PUBLIC SAFETY COMMITTEE</u> <u>TOWN ATTORNEY</u>
1169. Erie & Niagara Planning Board to Supervisor - Re: 1990 Local Review Program - Housing Unit Counts.	<u>R & F</u>
1170. Erie County Industrial Development Agency to Supervisor - Approval of new Payment-in-lieu-of-tax policy.	<u>R & F</u>
1171. Association of Erie County Governments to Supervisor - Notification of Regular Meeting 10/25/90.	<u>R & F</u>
1172. Deputy Commissioner, Highways to Supervisor - Information regarding Snow Removal Contract with Erie County.	<u>HIGHWAY COMMITTEE</u>
1173. Supervisor to Jeff Wice, Esq. - Re: 1990 Federal Census.	<u>R & F</u>

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 11:05 P.M. out of respect to:

KATHLEEN AHL
DOUGLAS BERNIS
BENJAMIN GEBLEIN
JEAN SCHERER
PAUL MCCALLISTER, SR.

Signed Robert P. Thill
Robert P. Thill, Town Clerk

32X